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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Smith, S.

Application No.: 10/630,562

Filed: July 30, 2003

For: HELICALLY FORMED
STENT/GRAFT ASSEMBLY

Confirmation No.: 8643

Examiner: Isabella, D.

Group Art Unit: 3738

Docket: 760-12 DIV/CON

Dated: October 28, 2004

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to: Commissioner for Patents, Alexandria, VA 22313

Dated: October 28, 2004

Signature: Barbara Thomas

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

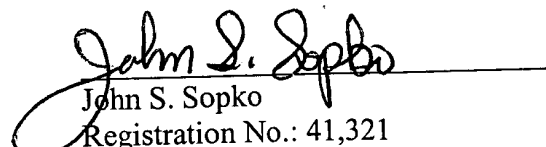
Sir:

This is in response to a Notice of Non-Compliance Amendment dated October 22, 2004, a copy of which is enclosed. A reply is due within one month, i.e., November 22, 2004.

The Response mailed October 7, 2004 and received by the Patent Office on October 12, 2004 was non-compliant as lacking a signature. Enclosed herewith is page 5 of the October 7, 2004 response having the signature of the attorney.

For the convenience of the Office, a duplicate copy of the entire Response is also being submitted herewith.

Respectfully submitted,


John S. Sopko
Registration No.: 41,321
Attorney for Applicant(s)

HOFFMANN & BARON, LLP
6900 Jericho Turnpike
Syosset, New York 11791
(973) 331-1700

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Amendment and Response dated October 7, 2004
Reply to Office Action of July 8, 2004
Docket No.: 760-12 DIV/CON
Page 5

groove or recess of graft material for forming its stent/graft. Therefore, the present invention is patentably distinct over Banas.

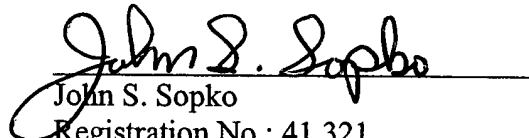
Summary

Therefore, Applicant respectfully submits that independent claim 1, and all claims dependent therefrom, are patentably distinct. This application is believed to be in condition for allowance. Favorable action thereon is therefore respectfully solicited.

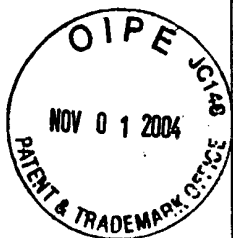
Should the Examiner have any questions or comments concerning the above, the Examiner is respectfully invited to contact the undersigned attorney at the telephone number given below.

The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication, or credit any overpayment, to Deposit Account No. 08-2461.

Respectfully submitted,


John S. Sopko
Registration No.: 41,321
Attorney for Applicant(s)

HOFFMANN & BARON, LLP
6900 Jericho Turnpike
Syosset, New York 11791
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RESPONSE PURSUANT TO 37 C.F.R. §1.111

Sir:

In response to the Office Action dated July 8, 2004, a reply to which is due October 8, 2004, please consider the following:

Remarks/Arguments begin on page 2 of this submission.